

By: Lucio

S.B. No. 420

A BILL TO BE ENTITLED

AN ACT

relating to establishing a health science center and medical school  
in the Rio Grande Valley.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subchapter L, Chapter 74, Education Code, is  
amended to read as follows:

SUBCHAPTER L. THE UNIVERSITY OF TEXAS HEALTH SCIENCE  
CENTER-- [LOWER] RIO GRANDE VALLEY [ACADEMIC HEALTH CENTER]

Sec. 74.611. HEALTH SCIENCE [AUTHORITY TO ESTABLISH OR  
PARTICIPATE IN] CENTER. (a) The board of regents of The University  
of Texas System shall operate The University of Texas Health  
Science Center--Rio Grande Valley as a component institution of The  
University of Texas System with its main campus and administrative  
offices in the Harlingen metropolitan area. The health science  
center consists of a medical school, other health and  
health-related degree programs, and related programs and  
facilities as the board considers appropriate.

(b) The board of regents may include facilities located in  
[may establish a regional academic health center serving] Cameron,  
Hidalgo, Starr, and Willacy Counties in the health science center  
[counties,] and may operate programs and activities and provide  
related services of the center [include any medical institutions  
for participation in the program] in those [the aforementioned]  
counties [if general revenue funds are specifically appropriated

1 ~~by the legislature for that purpose. The center may consist of~~  
2 ~~facilities located throughout the region].~~

3 Sec. 74.612. PARTICIPATION IN AVAILABLE UNIVERSITY FUND.

4 In accordance with Section 18(c), Article VII, Texas Constitution,  
5 if the Act enacting this section receives a vote of two-thirds of  
6 all the members elected to each house of the legislature, the  
7 institution created by this section is entitled to participate in  
8 the funding provided by Section 18, Article VII, Texas  
9 Constitution, for The University of Texas System.

10 Sec. 74.613. COURSES AND DEGREES; RULES. The board of

11 regents may prescribe courses leading to customary degrees and may  
12 adopt rules for the operation, control, and management of the  
13 health science center as may be necessary for the conduct of a  
14 medical school and other health science center programs of the  
15 first class.

16 Sec. 74.614. AFFILIATION AGREEMENTS; JOINT APPOINTMENTS.

17 (a) The board of regents may execute and carry out affiliation or  
18 coordination agreements with any other entity or institution in the  
19 region to ~~[establish or to]~~ participate in the health science  
20 center ~~[establishment or operation of the center, which includes~~  
21 ~~all traditional and all other providers of health services to the~~  
22 ~~counties listed in this subsection].~~

23 (b) The board of regents may make joint appointments in the  
24 health science center and other institutions under the board's  
25 governance. The salary of a person who receives a joint appointment  
26 shall be apportioned to the appointing institutions on the basis of  
27 services rendered.

1           ~~[(b) The board of regents may assign responsibility for the~~  
2 ~~management of the regional academic health center to any component~~  
3 ~~institution or institutions of The University of Texas System. The~~  
4 ~~operating costs of the regional academic health center shall be~~  
5 ~~paid from operating funds of the component institution and from~~  
6 ~~available funds of any other public or private entity.~~

7           ~~[(c) The regional academic health center may be used to~~  
8 ~~provide undergraduate clinical education, graduate education,~~  
9 ~~including residency training programs, or other levels of medical~~  
10 ~~education work in the counties identified in Subsection (a) in~~  
11 ~~connection with any component institution or institutions of The~~  
12 ~~University of Texas System as the board of regents determines~~  
13 ~~appropriate.]~~

14           Sec. 74.615 ~~[74.612]~~. GIFTS AND GRANTS. The board of  
15 regents may accept and administer gifts and grants from any public  
16 or private person or entity for the use and benefit of the ~~[regional~~  
17 ~~academic]~~ health science center.

18           Sec. 74.616 ~~[74.613]~~. OTHER FACILITIES. In addition to the  
19 facilities of the health science center, the board of regents may  
20 enter into agreements under which additional ~~[The physical]~~  
21 facilities ~~[of the regional academic health center]~~ used in the  
22 center's ~~[its]~~ teaching and research programs, including  
23 libraries, auditoriums, research facilities, and medical education  
24 buildings, may be provided by a public or private entity. ~~[A~~  
25 ~~physical facility may be constructed, maintained, or operated with~~  
26 ~~state money appropriated for that purpose.]~~

27           Sec. 74.617 ~~[74.614]~~. TEACHING HOSPITAL. A teaching

1 hospital considered suitable by the board of regents for the health  
2 science center may be provided by a public or private entity. The  
3 hospital may not be constructed, maintained, or operated with state  
4 funds.

5 Sec. 74.618 [~~74.615~~]. COORDINATING BOARD SUPERVISION. The  
6 [~~regional academic~~] health science center is subject to the  
7 continuing supervision of the Texas Higher Education Coordinating  
8 Board under Chapter 61 and to the rules of the coordinating board  
9 adopted under Chapter 61.

10 SECTION 2. Section 55.1732, Education Code, is amended by  
11 adding Subsection (e) to read as follows:

12 (e) Bonds authorized or issued under this section for the  
13 regional academic health center established under Section 74.611  
14 are considered to have been authorized or issued for The University  
15 of Texas Health Science Center--Rio Grande Valley when that  
16 institution is established.

17 SECTION 3. Section 61.003(5), Education Code, is amended to  
18 read as follows:

19 (5) "Medical and dental unit" means The University of  
20 Texas Medical Branch at Galveston; The University of Texas  
21 Southwestern Medical Center at Dallas; The University of Texas  
22 Medical School at San Antonio; The University of Texas Dental  
23 Branch at Houston; The University of Texas M.D. Anderson Cancer  
24 Center; The University of Texas Graduate School of Biomedical  
25 Sciences at Houston; The University of Texas Dental School at San  
26 Antonio; The University of Texas Medical School at Houston; The  
27 University of Texas Health Science Center--Rio Grande Valley; the

1 nursing institutions of The University of Texas System; and The  
2 University of Texas School of Public Health at Houston; and such  
3 other medical or dental schools as may be established by statute or  
4 as provided in this chapter.

5 SECTION 4. Section 63.002(c), Education Code, is amended to  
6 read as follows:

7 (c) The amount available for distribution from the fund may  
8 be appropriated only for programs that benefit medical research,  
9 health education, or treatment programs at the following  
10 health-related institutions of higher education:

11 (1) The University of Texas Health Science Center at  
12 San Antonio;

13 (2) The University of Texas M. D. Anderson Cancer  
14 Center;

15 (3) The University of Texas Southwestern Medical  
16 Center at Dallas;

17 (4) The University of Texas Medical Branch at  
18 Galveston;

19 (5) The University of Texas Health Science Center at  
20 Houston;

21 (6) The University of Texas Health Science Center at  
22 Tyler;

23 (7) The University of Texas Health Science Center--Rio  
24 Grande Valley;

25 (8) The Texas A&M University Health Science Center;

26 (9) [~~8~~] the University of North Texas Health Science  
27 Center at Fort Worth;

1           (10) [~~(9)~~] the Texas Tech University Health Sciences  
2 Center; and

3           (11) [~~(10)~~] Baylor College of Medicine, if a contract  
4 between Baylor College of Medicine and the Texas Higher Education  
5 Coordinating Board is in effect under Section 61.092.

6           SECTION 5. Section 63.101(a), Education Code, is amended to  
7 read as follows:

8           (a) A separate permanent endowment fund is established for  
9 the benefit of each of the following institutions of higher  
10 education:

11           (1) The University of Texas Health Science Center at  
12 San Antonio;

13           (2) The University of Texas M. D. Anderson Cancer  
14 Center;

15           (3) The University of Texas Southwestern Medical  
16 Center at Dallas;

17           (4) The University of Texas Medical Branch at  
18 Galveston;

19           (5) The University of Texas Health Science Center at  
20 Houston;

21           (6) The University of Texas Health Science Center at  
22 Tyler;

23           (7) The University of Texas at El Paso;

24           (8) The Texas A&M University Health Science Center;

25           (9) the University of North Texas Health Science  
26 Center at Fort Worth;

27           (10) the components of the Texas Tech University

1 Health Sciences Center located in El Paso;

2 (11) the components of the Texas Tech University  
3 Health Sciences Center at locations other than El Paso;

4 (12) The University of Texas Health Science  
5 Center--Rio Grande Valley [~~the regional academic health center~~  
6 ~~established under Section 74.611~~]; and

7 (13) Baylor College of Medicine, if a contract between  
8 Baylor College of Medicine and the Texas Higher Education  
9 Coordinating Board is in effect under Section 61.092.

10 SECTION 6. Section 65.02(a), Education Code, is amended to  
11 read as follows:

12 (a) The University of Texas System is composed of the  
13 following institutions and entities:

14 (1) The University of Texas at Arlington, including:

15 (A) The University of Texas Institute of Urban  
16 Studies at Arlington; and

17 (B) The University of Texas School of Nursing at  
18 Arlington;

19 (2) The University of Texas at Austin, including:

20 (A) The University of Texas Marine Science  
21 Institute;

22 (B) The University of Texas McDonald Observatory  
23 at Mount Locke; and

24 (C) The University of Texas School of Nursing at  
25 Austin;

26 (3) The University of Texas at Dallas;

27 (4) The University of Texas at El Paso, including The

1 University of Texas School of Nursing at El Paso;

2 (5) The University of Texas of the Permian Basin;

3 (6) The University of Texas at San Antonio, including  
4 the University of Texas Institute of Texan Cultures at San Antonio;

5 (7) The University of Texas Southwestern Medical  
6 Center at Dallas, including:

7 (A) The University of Texas Southwestern Medical  
8 School at Dallas;

9 (B) The University of Texas Southwestern  
10 Graduate School of Biomedical Sciences at Dallas; and

11 (C) The University of Texas Southwestern Allied  
12 Health Sciences School at Dallas;

13 (8) The University of Texas Medical Branch at  
14 Galveston, including:

15 (A) The University of Texas Medical School at  
16 Galveston;

17 (B) The University of Texas Graduate School of  
18 Biomedical Sciences at Galveston;

19 (C) The University of Texas School of Allied  
20 Health Sciences at Galveston;

21 (D) The University of Texas Marine Biomedical  
22 Institute at Galveston;

23 (E) The University of Texas Hospitals at  
24 Galveston; and

25 (F) The University of Texas School of Nursing at  
26 Galveston;

27 (9) The University of Texas Health Science Center at



1 Houston, including:

2 (A) The University of Texas Medical School at  
3 Houston;

4 (B) The University of Texas Dental Branch at  
5 Houston;

6 (C) The University of Texas Graduate School of  
7 Biomedical Sciences at Houston;

8 (D) The University of Texas School of Health  
9 Information Sciences at Houston;

10 (E) The University of Texas School of Public  
11 Health at Houston;

12 (F) The University of Texas Speech and Hearing  
13 Institute at Houston; and

14 (G) The University of Texas School of Nursing at  
15 Houston;

16 (10) The University of Texas Health Science Center at  
17 San Antonio, including:

18 (A) The University of Texas Medical School at San  
19 Antonio;

20 (B) The University of Texas Dental School at San  
21 Antonio;

22 (C) The University of Texas Graduate School of  
23 Biomedical Sciences at San Antonio;

24 (D) The University of Texas School of Allied  
25 Health Sciences at San Antonio; and

26 (E) The University of Texas School of Nursing at  
27 San Antonio;

1           (11) The University of Texas M. D. Anderson Cancer  
2 Center, including:

3                   (A) The University of Texas M. D. Anderson  
4 Hospital;

5                   (B) The University of Texas M. D. Anderson Tumor  
6 Institute; and

7                   (C) The University of Texas M. D. Anderson  
8 Science Park; and

9                   (12) The University of Texas Health Science  
10 Center--Rio Grande Valley.

11           SECTION 7. (a) The board of regents of The University of  
12 Texas System shall convert the regional academic health center  
13 established under Subchapter L, Chapter 74, Education Code, as that  
14 subchapter existed before the effective date of this Act, into The  
15 University of Texas Health Science Center--Rio Grande Valley and  
16 establish a medical school at the health science center after this  
17 Act takes effect as soon as the board considers appropriate  
18 considering available resources and the best interests of The  
19 University of Texas System and the people of this state and the  
20 Lower Rio Grande Valley, but not later than the 2009-2010 academic  
21 year. In establishing the health science center and medical  
22 school, the board of regents shall ensure that the existing  
23 programs, students, and faculty and staff of the regional academic  
24 health center are not affected other than as the board considers  
25 necessary to implement this Act.

26           (b) It is the intent of the legislature that The University  
27 of Texas Health Science Center--Rio Grande Valley be established by

1 conversion of the regional academic health center established under  
2 Subchapter L, Chapter 74, Education Code, as that subchapter  
3 existed before the effective date of this Act, and that those  
4 entities be considered to be the same institution. A reference in  
5 law to the regional academic health center applies to The  
6 University of Texas Health Science Center--Rio Grande Valley to the  
7 extent it can be made applicable. All contracts and agreements,  
8 including bonds and other financial obligations, entered into by  
9 The University of Texas System or any of its officers or employees  
10 relating to the regional academic health center apply to The  
11 University of Texas Health Science Center--Rio Grande Valley when  
12 the health science center is established.

13 (c) The permanent endowment fund established under Section  
14 63.101, Education Code, for the benefit of the regional academic  
15 health center established under Subchapter L, Chapter 74, Education  
16 Code, as that subchapter existed before the effective date of this  
17 Act, is transferred to the benefit of The University of Texas Health  
18 Science Center--Rio Grande Valley when the health science center is  
19 established. It is the intent of the legislature that the transfer  
20 of the endowment fund be made so as not to interrupt the research or  
21 other programs supported by distributions from the fund.

22 SECTION 8. This Act takes effect immediately if it receives  
23 a vote of two-thirds of all the members elected to each house, as  
24 provided by Section 39, Article III, Texas Constitution. If this  
25 Act does not receive the vote necessary for immediate effect, this  
26 Act takes effect September 1, 2007.